



A35109 PCT USA - 067515.0161

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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G. Stang
5-10-03

Applicant : Bong-Cheol Kim

Serial No. : 10/089,479

Examiner: Nhu, David

Filed : March 28, 2002

Group Art Unit: 2812

For : APPARATUS AND METHOD FOR FORMING SINGLE
CRYSTALLINE NITRIDE SUBSTRATE USING HYDRIDE
VAPOR PHASE EPITAXY AND LASER BEAM

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Commissioner of Patents , Alexandria, VA 22313-01450

May 9, 2003

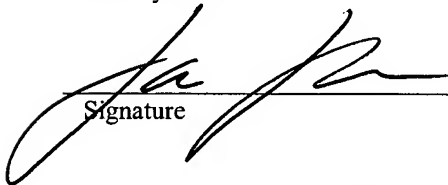
Date of Deposit

James J. Maune

Attorney Name

26,946

PTO Reg. No.


Signature

May 9, 2003

Date of Signature

RESPONSE

Commissioner for Patents

Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed April 11, 2003.

The Examiner has required election of one of the following inventions:

- I. Claims 13 to 16, drawn to an apparatus or
- II. Claims 17 to 24, drawn to a method.

✓ Applicant hereby elects Group II - Claims 17-24.

NY02:440686.1

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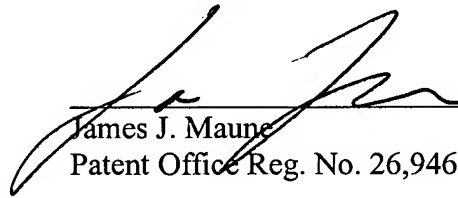
PATENT

Applicant respectfully traverses the restriction requirement on the grounds that the Examiner has applied an incorrect standard. Since this application is a National Phase of a Patent Cooperation Treaty Application, the proper standard is the "Unity of Invention" standard as set forth in 37 CFR 1.475.

In view of the above, an action on the merits for all pending claims is hereby respectfully requested.

It is not believed that any fee is necessary for this communication. If a fee is required, the Commissioner is authorized to charge payment of such fee to Deposit Account No. 02-4377

Respectfully submitted,



James J. Maune
Patent Office Reg. No. 26,946

Attorney for Applicant
(212) 408-2566

Baker Botts L.L.P.
30 Rockefeller Plaza
New York NY 10112

**BAKER BOTTS LLP**

Please type a plus sign (+) inside this box →

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/089,479
	Filing Date	March 28, 2002
	First Named Inventor	Bong-Cheol Kim
	Group Art Unit	2812
	Examiner Name	Nhu, David
Total Number of Pages in This Submission	Attorney Docket Number	A35109 PCT USA

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): RESPONSE - ELECTION
Remarks <input type="checkbox"/>		RECEIVED MAY 15 2003 TECHNOLOGY CENTER 2800

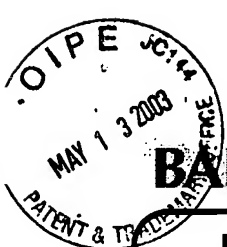
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112	
Signature		Att Name: James J. Maune PTO Reg: 26,946
Date	May 9, 2003	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date: May 9, 2003

Typed or printed name	James J. Maune		
Signature		Date	May 9, 2003

**BAKER BOTTS LLP**

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**0****Complete if Known**

Application Number	10/089,479
Filing Date	March 28, 2002
First Named Inventor	Bong-Cheol Kim
Examiner Name	Nhu, David
Art Unit	2812
Attorney Docket No.	A35109 PCT USA

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee required under 37CFR 1.16 and 1.17☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		- 20 =	0	X		=	0
Independent Claims		- 3 =	0	X		=	0
Multiple Dependent							

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**0****SUBMITTED BY**Name (Print/Type) **James J. Maune**Registration No.
(Attorney/Agent)

26,946

(Complete if applicable)

Telephone **212-408-2566**

Signature

Date **May 9, 2003**



BAKER BOTTS LLP

Attorney Docket Number: A35109 PCT USA

Title: APPARATUS AND METHOD FOR FORMING SINGLE CRYSTALLINE NITRIDE SUBSTRATE
USING HYDRIDE VAPOR PHASE EPITAXY AND LASER BEAM

Use Space Below for Additional Information:

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